



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

January 23, 1991

Mr. David M. Douglas
Assistant Chief, Legal Services
Texas Department of Public Safety
Box 4087
Austin, Texas 78773-0001

OR91-043

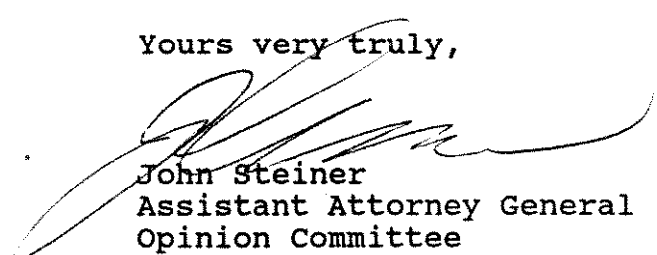
Dear Mr. Douglas:

You ask whether certain information regarding the death of a resident of the Mexia State School Community Services Sandy Lane Group Home in Waxahachie is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10362.

We have considered the exception you claimed, specifically section 3(a)(3), and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 551 (1990), a copy of which is enclosed, resolves your request. Civil litigation is currently pending with respect to the subject matter of the requested information. The assistant attorney general representing the Texas Department of Mental Health and Mental Retardation in the litigation has determined that the information should be withheld. For this reason, you may withhold the requested information.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-043.

Yours very truly,


John Steiner
Assistant Attorney General
Opinion Committee

JS/le

Ref.: ID# 10362, 11076, 11180

Enclosure: Open Records Decision No. 551
Documents Sent

cc: Dona Hamilton (w/enclosures)
Assistant Attorney
General Litigation

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